

by death or hospitalization, and those broken by divorce, desertion, imprisonment and psychoses. In the second category, in only 1.56 per cent. cases were both parents normal. The figure for the involuntarily broken home was 24.81, and for the unbroken home 27.02. Parental abnormality, the author concludes, is the fundamental cause of delinquency, not broken homes. These are often chiefly the fault of the parents' poor constitutional make-up.

The familial position, it appears, has little influence on the type of crime committed. Dr. Hirsch, however, does not draw any conclusions on its influence on the incidence of lawlessness. There is also a rather inconclusive chapter on the elusive subject of enuresis.

The author makes some valuable practical suggestions about the unsuitability of modern education and the stress it lays on the academic side. The average I.Q. of his analysed delinquents was 80 per cent. Their manipulative ability averaged 102 per cent. What part did an education which lacked practical training play in setting up tension and subsequent behaviour problems?

Throughout his book, Dr. Hirsch has borne in mind a fact too often overlooked by sociologists; that it is illogical to study the delinquent as an isolated factor. One must study the non-delinquent equally and compare the two. In these days when there is a dearth of the super-intelligent, it is more than ever necessary to study and to help make the best of the so-called normal.

In the revised and cheaper edition of Mrs. Le Mesurier's book, first published in 1931, she gives an account, from the lay point of view, of the Borstal boys with whom she worked at Wormwood Scrubs. It makes one uncomfortably aware of how backward and unimaginative our method of handling young offenders still is compared with the State facilities for treatment in the United States.

CICELY MCCALL.

## CONTRACEPTION

**Linfield, Seymour L.** *Laws Relating to Birth Control in the United States and*

*its Territories.* New York: 1938. Birth Control Clinical Research Bureau. Pp. 61. Price 25c.

ONE might suppose that the reactionary birth-control laws of the United States do not change very much. That this is not altogether true may be discerned by a careful perusal of this pamphlet by Mr. Linfield, a study made under the direction of Professor Walter Gellhorn of the Columbia University School of Law. The pamphlet is essentially a compilation of statutes, the texts of the relevant passages of the federal and state laws being reprinted here together with occasional notices of decisions.

The reviewer is, however, under the distinct impression that not enough attention has been paid to decisions which have been modifying the American birth-control statutes almost invariably in a liberal direction. The compiler also failed to call attention to the manner in which drug and pharmaceutical interests and their commercial associations have lately been active in lobbying before state legislatures to induce them to pass legislation restricting the sale of condoms, and in some instances many other types of contraceptives, through wholesale and retail druggists (with exceptions for physicians and surgeons). It is axiomatic that, when a special interest group wishes to put over some legislation in its own interest, it nearly always pleads the public interest.

There can be no doubt that legislation to control quality is desirable. But in doing so one should not unwittingly and stupidly assist monopolies for the maintenance of a 2,000 per cent. mark-up in prices. American condom manufacturers without doubt want to control sales through the recognized drug outlets not solely or even primarily because of the public interest, but because they can thereby prevent the so-called "bootlegging" and "peddling," as they call it, by "unauthorized dealers" who do not provide "price maintenance," and who substantially undersell druggists. In other words, the recent enactments in Oregon, Montana, Idaho, and some other states are not solely to protect the public interest in quality, but

are also, in some measure, anti-consumer, price-fixing, and monopolistic measures.

I know no evidence in the entire range of American medical literature which suggests that physicians here are so much as even aware of these broader social implications of the problem. How we Americans get the wool pulled over our eyes the minute some special pleader stands up in apparent defence of morality!

We are informed in Mr. Linfield's pamphlet that "supplements to this pamphlet, bringing legislation on contraception up to date, may be issued from time to time." Let us hope that this may be the case for it is already out of date, there being no mention of the recent *Marriage Hygiene* case. In an effort to enlist the support of the medical profession the Birth Control Clinical Research Bureau has given wide publicity to the decision in the case of *United States v. One Package*, permitting the importation of devices by licensed physicians. But it would seem that insufficient stress has been given to an equally important case, namely the *Marriage Hygiene* case, which liberalized the statutes by permitting the importation of contraceptive literature, not only by physicians but by other scientists of standing.\*

One decision affected appliances; the other literature. If one must choose between them, the latter is likely to be more historic. That important decision received only the briefest possible notice in the *Birth Control Review*, and mention of it is omitted in the Linfield pamphlet, published, so far as the reviewer is aware, several months after the decision in question.

Yet this is a very useful pamphlet; but it needs to be kept constantly up to date; and, above all, it should be given interpretation. It is a common error of the average citizen and of birth-control leaders in the United States to pounce upon some passage in a statute and to disregard quite entirely the general context in which it appears.

It is the sober judgment of the reviewer,

\* See the June-July, 1939, issue of the *Journal of Contraception*. Article by Harriet F. Pilpel on "The Present Legal Status of Contraceptive Literature. The Marriage Hygiene Case: Finale."

arrived at after many years of specialized study, that the birth-control propagandists in the United States have done a great deal of harm to the movement, more especially in years past, by continually harping on the subject of the alleged "illegality" of birth control. Actually about half of the states have no mention of the subject or make exceptions for physicians. But these physicians have been so frightened by all the talk about illegality that only recently have they come "out of their shell." For this the birth-control propagandists are, in part, responsible. Physicians have been frightened when, in many legal jurisdictions, there were no grounds for frightening them. It is to be hoped—but it is by no means certain—that the Linfield pamphlet will build confidence and co-operation instead of fear.

NORMAN E. HIMES.

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